IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit 2131

In re application of:
Rhoads et al.

Confirmation No. 5497

Application No.: 09/531,076

Filed: March 18, 2000

For: SYSTEM FOR LINKING FROM
      OBJECTS TO REMOTE
      RESOURCES

VIA ELECTRONIC FILING

Examiner: S. Zia

Date: September 11, 2008

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

Appellants request review of the final rejection of claims 17-31 in the above-identified application. No amendment is being filed with this request.

This request is being filed with a Notice of Appeal.

The review is requested for the reason(s) stated on the attached sheets. (No more than 5 pages are provided.)

Date: September 11, 2008

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Respectfully submitted,
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REASONS FOR PRE-APPEAL BRIEF REQUEST FOR REVIEW

The Board will reverse the rejections.

As to independent claim 17, neither Weiss (7,065,559) nor Madsen (6,941,338) teaches "… sending address information associated with such foreseen object payloads *after* sending address information associated with the first object."

As to independent claim 23, the cited art does not teach "*after initiating said link, identifying additional objects…*"

As to independent claim 24, the art does not teach "sending address information associated with such foreseen object payloads *after* initiating said electronic link."

As to independent claim 30, the art does not teach "foreseeing information about object payloads that may be forthcoming, *and the order* in which said other object payloads may be forthcoming, and anticipatorily sending address information associated with such foreseen object payloads, *in such order*."

Because the art does not teach the underlined aspects of the rejected independent claims, Appellants respectfully submit that the art cannot be combined in the manners asserted to yield the claimed combinations.

There are several other issues on which the Board will differ with the Examiner. For example, the Weiss and Madsen excerpts cited in support of the rejections of 18-22 dependent from claim 17 (and similar claims dependent from claims 24 and 30) do not appear to bear scrutiny.

To give a single illustration, claims 21, 28 and 31 require anticipatorily sending information in an order "based on an order of printed pages in a bound volume."

The excerpts from Weiss and Madsen cited in support of such rejections are the following:

> described in detail below. 45
>
> PDA **38** of client computer system **30** includes input device **36** for inputting a bridge code **154** (see FIG. **2** and the description below) into client computer system **30**. Input device **36** of the preferred embodiment is a bar code scanner. However, input device **36** can be a keypad, keyboard, bar 50 code reader, text scanner, image scanner, set of thumb-wheels, or any other device for inputting the bridge code. The bridge code is an identifier, such as a number, a word, alpha-numerics, an image, or the like, for identifying a tangible media object in media bridge system **10**. The phrase 55 "tangible media object," as used herein, refers to any object of tangible media, such as a newspaper article, a magazine article, an advertisement, a book, portions thereof, or the like.

Weiss, col. 5, lines 46-59. This excerpt mentions a book and magazine, but is silent about "an *order* of printed pages" therein determining an order in which information is sent.

The next-cited excerpt reads:

operator interfaces for initiating the upload.

   As a result of step F, the scanned bridge codes are stored in computer 32 for uploading to bridge server 20 over the Internet 100. As noted above, computer 32 and bridge server computer system 20 are both connected to the Internet 100. The connections to the internet can be continuous or dial up. In the case of a dial up connection, computer 32 connects to the Internet 100 prior to step G. Once connected to the Internet 100, computer 32 can send a command to bridge server computer system 20, in the form of a complex URL, or other command containing the appropriate bridge code or codes, to search database 22 for action commands associated with the bridge codes stored in computer 32. For example, computer 32 can send a complex URL, having a CGI program request or the like, to bridge server computer system 20, in step G, in response to instructions in bridge control program 35.

   In response to the command or plural commands from computer 32, bridge server computer system 20 will query database 22 to find the action commands indicating actions to be taken in response to each bridge code in step H. The action commands in database 22 for each bridge code should correspond to the bridge code instructions for the particular bridge code. For example, in the case of bridge code 154 illustrated in FIG. 2, the action command in database 22 will include instructions for causing a computer media copy of the article in tangible media object 150 to be downloaded to computer 32. The computer media copy of the article in tangible media object 150 can be stored on bridge server computer system 20 or on another computer coupled to the Internet 100, such as one of content servers 40. In the case of the copy being stored on one of content servers 40, the action command in database 22 includes instructions for addressing content server 40 and causing the appropriate download to computer 32. Once again, this can be accomplished through transmission of a complex URL with a CGI program request from bridge server computer system 20 to content server 40. In step I, the action indicated by action commands stored in correspondence with bridge code 154 in database 22 (downloading a copy of the article to computer 32 in this case) is taken.

Weiss, col. 7, lines 5-45. This excerpt mentions a "tangible media object," but again is silent about "an _order_ of printed pages" therein determining an order in which information is sent.

The third cited excerpt reads:

> latency perceived by the user.
>
>   In one embodiment, the base station executes anticipatory caching. Anticipatory caching occurs when a file or object is retrieved and stored in the cache before the users request it. For example, many users access the newspaper in the morning. Anticipatory caching can be used to retrieve the files and embedded objects associated with the newspapers as they are released by the publishers in the early morning when the demand on the wireless system is minimum. In this way, when the users begin to access the papers in early morning, at least some of the files and objects are available from the cache. Caching according to the invention also improves the efficiencies achieved by anticipatory caching. Residents of a college campus may be more likely to access a local or campus-wide newspaper rather than a national newspaper. Business users are more likely to access business and financial newspapers such as the Wall Street Journal. These regional differences are accommodated by the local caching system of the invention.

Madsen, col. 5, lines 35-52. This excerpt mentions a newspaper, but again is silent about "an _order_ of printed pages" therein determining an order in which information is sent.

None of these excerpts teaches the subject matter introduced by dependent claims 21/28/31. Because the art does not teach that for which it has been cited, Appellants respectfully submit the art cannot be combined in the manner asserted to yield the claimed arrangements.

(The foregoing is sufficient to establish that the rejections would not be sustained on appeal. Accordingly, Appellants do not belabor this paper with additional remarks on the rejections, the art, or the claims – all of which are reserved for later presentation.)